

**TOWN OF MONTVILLE  
PLANNING & ZONING COMMISSION  
310 NORWICH NEW LONDON TPKE  
PHONE (860) 848-8549 Fax (860) 848-2354  
MEETING MINUTES  
October 13, 2009**

1. **Call to Order.** Chairman Marcus called the October 13, 2009 meeting of the Montville Planning & Zoning Commission to order at 7:00 p.m. in the Town Council Chambers.
2. **Pledge of Allegiance.** All rose and pledged the flag.
3. **Roll call and seating of Alternates:**  
**COMMISSION MEMBERS PRESENT:** Commissioners Baron, Desjardins, Marcus, Mastrandrea, Pieniadz, Polhemus, Siragusa, and Toner. (8 regular members)  
**COMMISSION MEMBERS ABSENT:** Commissioners Ferrante. (1 regular member)  
**STAFF PRESENT:** Zoning Enforcement Officer, Thomas Sanders.
4. **Executive Session:** none
5. **Public Hearings:** none
6. **New Business:**
  1. **Action items:**
    - a.) **Mark Peng/Gallivan Properties, LLC:** Site Plan Modification (208-Site-5) for removing the connection between the residence and commercial section of the building (Dental Office) located on the property at 14 Gallivan Lane, Uncasville, CT. As shown on Assessor's Map 103 Lot 33. Commissioner Pieniadz advised the Chairman of a Conflict of Interest (written notice attached hereto) and left the meeting room. Staff informed the Commission of the particulars of the issues at hand that developed when construction began on this project. Discussion was held. A **MOTION** was made by **COMMISSIONER BARON; SECONDED** by **COMMISSIONER SIRAGUSA** as follows: To **MODIFY** the existing site plan that has already been previously approved and as noted under New Business, 6.1.a, that's been previously approved, to eliminate the existing connection to the building and to eliminate the basement due to drainage. The reasoning behind it is because of structural damage that would be prevalent with the full excavation. With the approval of this, the condition is that the applicant provides us a Class A-2 Survey that's an as-built of the existing conditions after it's constructed. Voice vote. 7-0-1 (Commissioner Pieniadz was still out of the room.) **MOTION CARRIED.**

Commissioner Pieniadz returned to the meeting room.

**7. Zoning Issues:**

A **MOTION** was made by **COMMISSIONER PIENIADZ** to amend the agenda to take item 12.4 and insert it into to the agenda under item 7.: Village Apartments Jerome Road **SECONDED** by **COMMISSIONER DESJARDINS**. All in favor. 8-0 **MOTION CARRIED**.

**1) Action items:**

- a.) Village Apartments, Jerome Road – Certificate of Compliance (temporary). ZEO advised that the main issue at hand is the removal or non-removal of the rocks on the site. Attorney Tim Bates of Robinson & Cole addressed the Commission. Norton Wheeler and Paul Biscutti of DiCesare-Bentley were also in attendance. Discussion was held. (Refer to the audio recording for more information)

A **MOTION** was made by **COMMISSIONER PIENIADZ**; **SECONDED** by **COMMISSIONER SIRAGUSA** as follows: A **MOTION** to give the applicant a 30 day extension in which time they submit the plan to The Planning Department; pay any application fees; bond stays in place; plan gets reviewed then back to the Commission for their vote. Roll call vote as follows: In favor: Commissioners Baron, Marcus, Pieniadz, Siragusa, and Polhemus. Opposed: Commissioners Desjardins, Mastrandrea, and Toner. 5-3-0. **MOTION CARRIED**. Attorney Bates asked if they could begin crushing rocks and ZEO agreed. Atty. Bates said to expect the formal application to be submitted in the next few days.

**8. Old Business:**

**1. Action Items:** none

**2. Not Ready For Action:**

- a) **Robert Sachs, Trustee:** Conceptual Review for a cluster subdivision to be located on the property at 316 Chapel Hill Road, Oakdale, Ct As shown on Assessor's Map 35 Lot 1. (see below item 8.3.b)
- b) **Cornerstone Baptist Church:** An application for Site Plan Review for the construction of an addition on the property located at 900 Route 163, Oakdale, CT. As shown on Assessor's Map 46 Lot 2.

A **MOTION** was made to **CONTINUE** items 8.2.a & 8.2.b by **COMMISSIONER DESJARDINS**; **SECONDED** by **COMMISSIONER TONER**. Voice vote. 8-0. **MOTION CARRIED**.

- 9. Communications: Staff:** Staff informed the Commission that no correspondence was received. **Commission:** Chairman Marcus informed the Commission that he had received the following: Info on an upcoming Census Seminar that Staff will be attending. Commissioner Baron informed the Commission of an upcoming seminar regarding Reinventing Commercial Strips and also informed the Commission of the budget cuts that would affect SCCOG Regional Planning Commission.

**10. Minutes:**

a.) Acceptance of the minutes from the Regular meeting of September 22, 2009. A **MOTION** was made by **COMMISSIONER TONER; SECONDED** by **COMMISSIONER POLHEMUS** to **ACCEPT** the minutes. Voice vote. 7-0-1 with Commissioner Baron abstaining. **MOTION CARRIED.**

**11. New Business:**

**1. Non-Action items:** none

**12. Zoning Issues:**

**Fawn's View:** Staff advised the Commission of an issue concerning the status of the road. After inspections were made by the Town Engineer and Public Works Director, some deficiencies were noted that must be corrected prior to winter. The Town Engineer will be drafting a letter that will be sent to the developer. Discussion was held. A **MOTION** was made by **COMMISSIONER SIRAGUSA; SECONDED** by **COMMISSIONER DESJARDINS** as follows: I move that the Town Zoning Officer be directed **not to issue any Zoning Certificates of Zoning Compliance** on Fawn's View until such time as the maintenance items have been addressed at Fawn's View and approved by the Town Engineer and the Public Works Department. Voice vote. 8-0 All in favor. **MOTION CARRIED.**

**2. Non-Action Items:** none

**3. Zoning Officer's Report:** Zoning Officer's Report was distributed. ZEO informed the Commission of the status of some pending Court cases.

**13. Other business to come before the Commission:**

a.) Plan of Conservation and Development. Discussion was held. Timelines were distributed and discussed.

**14. Adjourn:** The meeting adjourned at 8:22 p.m.

Respectfully submitted,

Judy A. LaRose  
Recording Secretary

AN AUDIO RECORD OF THE MEETING IS ON FILE IN THE MONTVILLE TOWN CLERK'S OFFICE